

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

FRED DALE VAN WINKLE,

No. 13-11743 t7

Debtor.

BRIAN VAN WINKLE and
TAMMY SPRAGUE,
Co-personal representatives,

Plaintiffs,

v.

Adv. No. 20-1022 t

BELLEVIEW VALLEY LAND CO.,
JOHN H. WILLIAMS, and
ELLEN B. WILLIAMS,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND
SETTING RULE 56(f) DEADLINES**

Before the Court is Defendants' Motion for Summary Judgment, filed October 29, 2020, doc. 14. For the reasons given in the opinion entered herewith, the Court finds that the motion is not well taken and should be denied.

IT IS THEREFORE ORDERED that the motion is denied.

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. Pro. 56(f) and Fed. R. Bankr. Pro. 7056, Defendants are given notice that the Court is considering granting summary judgment in Plaintiffs' favor on the issue of whether Defendants violated the discharge injunction. Defendants will have 30 days from the date hereof to respond. Plaintiffs will have 14 days from the date the response is filed to file a reply.



Hon. David T. Thuma
United States Bankruptcy Court

Entered: March 5, 2021
Copies to: Counsel of record